AUG 4 1982

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97TH CONGRESS } HOUSE OF REPRESENTATIVES { REPORT
2d Session } { No. 97-667

Y1.1/8:97-667 COMPLETED

RELATING TO THE PRESERVATION OF THE HISTORIC CONGRESSIONAL CEMETERY IN THE DISTRICT OF COLUMBIA FOR THE INSPIRATION AND BENEFIT OF THE PEOPLE OF THE UNITED STATES

JULY 27, 1982.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. UDALL, from the Committee on Interior and Insular Affairs, submitted the following

REPORT

[To accompany H.R. 6033]

[Including the cost estimate of the Congressional Budget Office]

The Committee on Interior and Insular Affairs, to whom was referred the bill (H.R. 6033) relating to the preservation of the historic Congressional Cemetery in the District of Columbia for the inspiration and benefit of the people of the United States, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 3, strike all after the enacting clause and insert in lieu thereof the following:

That the Congress finds and declares that—

(1) sections of the Congressional Cemetery in the District of Columbia are of national historic significance, including those areas in which John Philip Sousa, Matthew Brady, J. Edgar Hoover, several former Members of the United States Senate and House of Representatives, and many other persons of historical importance and interest are buried; and

(2) the physical condition of these areas and related portions of the cemetery has deteriorated to the extent that restoration is necessary to protect and preserve the historical values of these areas.

SEC. 2. In order to assist in the restoration and preservation of the historic values of the Congressional Cemetery, the Architect of the Capitol is authorized and directed to make grants to the Association For the Preservation of Historic Congressional Cemetery, Washington, District of Columbia to be used for the restoration and preservation (but not routine maintenance) of the cemetery.

SEC. 3. There is authorized to be appropriated $300,000 for grants to be made under section 2 of this Act, such sums to remain available until expended.

SEC. 4. No authority under this Act to make payments shall be effective except to the extent and in such amounts as provided in advance in appropriations Acts.

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PURPOSE

H.R. 6083 would provide Federal assistance in the preservation of historic Congressional Cemetery, Washington, D.C.

BACKGROUND AND NEED

Congressional Cemetery encompasses a 30-acre site overlooking the Anacostia River 17 city blocks from the Capitol building. The Cemetery was established by private individuals in 1807, and conveyed without cost to Christ Church, Washington Parish, in 1812. In 1817, the vestry of Christ Church assigned 100 burial sites within the cemetery for the use of the United States. After that time, many of the Members of Congress and executive officers of the United States who died in Washington, D.C. were buried in this cemetery. It served as the national cemetery until Arlington National Cemetery was established after the Civil War.

Three Presidents were interred in Congressional Cemetery: William Henry Harrison, Zachary Taylor, and John Quincy Adams. Their remains, along with those of a number of Senators and Representatives, were later moved to home cemeteries. At the present time, the remains of 14 Senators and 42 Representatives are still interred in Congressional Cemetery, along with those of John Philip Sousa, Mathew Brady, and J. Edgar Hoover.

The cemetery has been determined to be of significance in the history of the Nation's Capital, by virtue of being listed on the National Register of Historic Places and by being designated as an historic landmark by the District of Columbia. The cemetery also contains an outstanding collection of Victorian statuary. Included are 165 sandstone cenotaphs designed by Benjamin Latrobe and erected at Congressional expense to commemorate Members who died in office but who were not buried in the Cemetery.

Congress has maintained a supportive role in the stablishment and development of Congressional Cemetery since its early days. For example, in 1824 Congress authorized the payment of $2,000 to Christ Church for the erection of "a substantial wall around the burcial ground". This brick was subsequently damaged by water from heavy rains, and in some places the wall was carried away entirely. Congress then appropriated funds to rebuild the wall and to construct a culvert and drain at the burial ground.

In 1832 Congress authorized construction of a "substantial brick or stone vault * * * for the temporary interment of Members of Congress". In subsequent years Federal funds were directly or indirectly appropriated by Congress to support the Cemetery.

Another example of the continuing relationship between Congress and the Congressional Cemetery was the dedication of a cenotaph there on May 19, 1981 to the memory of House Majority Leader Hale Boggs of Louisiana, who disappeared in an airplane accident over Alaska in October of 1972. It was the first time in 105 years that a cenotaph had been dedicated at the historic burial ground in honor of a Member of Congress who died in office.

In recent years, the Congressional Cemetery became subject to increasing deterioration and disrepair. Interest was raised in the Congress about ways to assure the cemetery's continued preservation and maintenance. Legislation was introduced and considered during the 93d Congress which would have authorized the Secretary of the Interior to maintain it; however that legislation was not enacted. Interest in the proposal was revived and legislation reintroduced during the 94th Congress, and the Congress subsequently enacted Public Law 94–495, authorizing the Architect of the Capitol to perform necessary work to prevent the further deterioration of the Congressional

Cemetery and to assist in the maintenance and protection of the historic sections of it. The Act authorized $175,000 for fiscal year 1978 and $75,000 for fiscal year 1979 for these purposes, and it further authorized the Architect to conduct a study of the continuing maintenance and preservation needs of the cemetery.

Appropriations for the necessary work were not forthcoming, nor was the study ever conducted, and the cemetery suffered from increasing deterioration and vandalism. In 1981, the Senate approved an amendment to the Interior Appropriations bill directing the Architect of the Capitol to carry out the purposes of Public Law 94–495 through an appropriation of $250,000 authorized under that Act, but the Senate provision was not enacted. Instead, the conferees recommended that the entire matter of the cemetery be reviewed by the legislative committees.

In 1976, the Association for the Preservation of Historic Congressional Cemetery was incorporated as an independent, non-demoninational, charitable organization to preserve and restore the cemetery. The Association's Board of Director is comprised entirely of volunteers serving without pay. The Association operates the cemetery under a 40-year lease from Christ Church and the Episcopal Diocese, which gives it complete and exclusive rights to operate the cemetery, raise money and establish trusts.

The Association has established a small trust fund and has raised money from membership dues, donations and fundraising events. In addition to raising $80,000–$100,000 annually for maintenance, the Association has undertaken to raise substantial sums for restoration of the cemetery, and has already partially restored the chapel and made repairs to the iron fencing. Additional assistance is needed, however, to assure restoration of the historic sections and related areas of the cemetery and restoration of the cemetery's infra-structure, much of which was installed by the Federal government in the 19th century and which has suffered from increasing deterioration in recent years.

OVERVIEW OF LEGISLATION

As introduced, H.R. 6033 authorized a cooperative agreement to be consumated between the Secretary of the Interior and the Association for Preservation of Historic Congressional Cemetery, under which the Secretary would assist in the protection, restoration and maintenance of the cemetery. The bill authorized $300,000 to be appropriated to carry out these purposes.

The Subcommittee on Public Lands and National Parks held a hearing on the bill on May 20. As a result of concerns raised by the Administration and Members of the Committee concerning the role of the Secretary of the Interior in the bill—a role that had previously been directed to the Architect of the Capitol—an amendment in the nature of a substitute was subsequently adopted. The substitute eliminates the requirement for a cooperative agreement with the Secretary of the Interior. Instead, it authorizes and directs the Architect of the Capitol to make grants totalling $300,000 to the Association for the Preservation of Historic Congressional Cemetery to be used for the restoration and preservation (but not routine maintenance) of the cemetery.

It is expected that the funds appropriated under H.R. 6033 are to be a one-time appropriation to be used for restoration of the historic sections and related areas of the cemetery (including historic structures, monuments and cenotaphs) and for restoration of the infra-structure of the cemetery (including the repair of roads, street-lighting, water service, repair and securing of walls and boundaries and repair of the storm sewer system) which might not otherwise be accomplished through donations from other sources. The intent is not to require the Architect of the Capitol to accomplish the restoration work directly, but rather for the Architect to provide monitoring and review, as would be needed, of the use of the grant funds. This would include prescribing appropriate terms and conditions for the grants and auditing the Association's books relating to them. The Association would continue to use other funds for the routine maintenance of the cemetery. Title to the cemetery would not be conveyed to the United States.

SECTION-BY-SECTION ANALYSIS

Following is a section-by-section analysis of the bill as amended by the Committee:

Section 1 provides Congressional findings that sections of the Congressional Cemetery in Washington, D.C. are of national historic significance and that the physical condition of these areas and related portions has deteriorated to the extent that restoration is necessary.

Section 2 authorizes and directs the Architect of the Capitol to make grants to the Association for the Preservation of Historic Congressional Cemetery, to be used for the restoration and preservation (but not routine maintenance) of the cemetery.

Section 3 authorizes the appropriation of $300,000 for grants to the Association, to remain available until expended.

Section 4 provides that no payments under the Act may be effective except as provided in advance in appropriations Acts.

OVERSIGHT STATEMENT

None of the matters contained in H.R. 6033 has been the subject of any reports or recommendations from the Committee on Government Operations under Rule X clause 2(b)(2) of the Rules of the House of Representatives.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(1)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that enactment of H.R. 6033, as amended, will have no inflationary impact on the national economy.

COST AND BUDGET ACT COMPLIANCE

The analysis of Congressional Budget Office, which the Committee adopts as its own, follows:

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

JULY 13, 1982.

1. Bill number: H.R. 6033.
2. Bill title: A bill relating to the preservation of the historic Congressional Cemetery in the District of Columbia for the inspiration and benefit of the people of the United States.
3. Bill status: As ordered reported by the House Committee on Interior and Insular Affairs, June 23, 1982.
4. Bill purpose: This bill authorizes the appropriation of $300,000 to the Architect of the Capitol. The Architect is directed to make grants to the Association for the Preservation of Historic Congressional Cemetery to be used for restoration and preservation of the cemetery.
5. Cost estimate:

Authorization level:	
Fiscal year	
1983	$300
1984	———
1985	———
1986	———
1987	———
Estimated outlays:	
Fiscal year:	
1983	225
1984	75
1985	———
1986	———
1987	———

The costs of this bill fall within budget function 800.

6. Basis of estimate: This estimate assumes the amount authorized will be appropriated. The estimate of outlays is based on information provided by the Association for the Preservation of Historic Congressional Cemetery.
7. Estimate comparison: None.
8. Previous CBO estimate: None.
9. Estimate prepared by: Judy Walker.
10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

LEGISLATIVE HISTORY

H.R. 6033 was introduced on April 1, 1982. The Subcommittee on Public Lands and National Parks held a hearing on the bill on May 20, 1982. On June 15, 1982 the bill was recommended to the full Committee which ordered it reported, as amended, by a voice vote on June 23, 1982. The Committee recommends its approval by the House.

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